

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
(Charlotte Division)
CIVIL ACTION No. 3:04 CV 139-RJC-DCK

RICHARD MASON,

Plaintiff,

v.

ILS TECHNOLOGY, LLC, an Ohio
limited liability company,

Defendant.

ORDER TO
SEAL DOCUMENT
(#17)

THIS MATTER is before the Court on Plaintiff's Motion to Seal Document #17, pursuant to the Local Rules for the Western District of North Carolina, LCvR 6.1(C), where said document contains personal identifying information. Plaintiff seeks to permanently seal Document #17, and then re-file a redacted version of the document with the social security numbers removed.

Upon review of Plaintiff's motion, the Court makes the following:

FINDINGS OF FACT

1. That Document #17, styled Supplemental Affidavit of Richard Mason, was previously filed with this court on July 19, 2005.
2. That Document #17 contains certain W-2 and Earnings Summary statements, which include the Plaintiff's social security number.
3. That Plaintiff's personal identifying information is currently available to the general public through the United States District Court for the Western District of North Carolina Electronic Document Filing System via Public Access to Court

Electronic Records (“PACER”), which presents serious concerns regarding potential fraud, identity theft, and similar misuse.

4. That the sealing of a document containing a party’s social security number is supported by the policy of the Judicial Conference of the United States and the E-Government Act of 2002, Pub. L. No. 107347 as referenced in the Western District’s Administrative Procedures Governing Filing and Service by Electronic Means, Section I. PRIVACY.
5. That there are no alternatives to sealing this document which would adequately protect Plaintiff’s personal identifying information.
6. That Plaintiff has agreed that if his motion to seal is granted by this Court, the Plaintiff will re-file an identical copy of Document #17, with Plaintiff’s social security numbers redacted, for publication on PACER.
7. That counsel for the Defendant have been consulted and they consent to Plaintiff’s motion.

Based on the foregoing findings of fact, this Court makes the following:

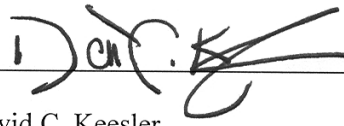
CONCLUSIONS OF LAW

1. That Document #17 should be permanently sealed and restricted from public access in order to protect Plaintiff’s personal privacy and personal identifying information, and in compliance with the policy of the Judicial Conference of the United States and the E-Government Act of 2002, Pub. L. No. 107347 as referenced in the Western District’s Administrative Procedures Governing Filing and Service by Electronic Means, Section I. PRIVACY.

THEREFORE, good cause having been shown and pursuant to the Local Rules of Civil Procedure for the United States District Court, Western District of North Carolina, Rule 6.1, and based on the foregoing findings of fact and conclusions of law, this Court hereby ORDERS AND DECREES as follows:

1. That Document #17 be permanently sealed and restricted from public access.
2. That Plaintiff shall re-file an identical copy of Document #17, with Plaintiff's social security numbers redacted, for publication on PACER within 10 days of the date of this Order.

Signed: January 7, 2008



David C. Keesler
United States Magistrate Judge

